



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

CERTIFIED MAIL NO. 7014 0150 0000 2454 8072: RETURN RECEIPT REQUESTED
GENERAL NOTICE LETTER
URGENT LEGAL MATTER - PROMPT REPLY NECESSARY

Bunge Street Properties, LLC
Christian G. Vaccari
Registered Agent
217 North Columbia Street
Covington, Louisiana 70433

**Re: SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana;
CERCLIS #: LAD008434185; General Notice Letter and Opportunity to Meet**

Dear Mr. Vaccari:

The purpose of this letter is to provide Bunge Street Properties, LLC (hereinafter Bunge Street Properties, LLC is referred to as "Bunge Street," "you" or "your"), with written notice of Bunge Street potential liability at the SBA Shipyard Superfund Site (Site) located in Jennings, Jefferson Davis Parish, Louisiana. Information available to the U.S. Environmental Protection Agency (EPA) indicates that Bunge Street is the current owner of the northern portion of the Site (See Enclosure B).

In May 2015, the EPA initiated a removal action at the Site under the Clean Water Act, as amended by the Oil Pollution Act of 1990 (OPA). The EPA has completed the OPA removal action and a Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA) emergency removal action (ER) at the Site. The ER addressed the immediate threat posed by a buried barge with high concentrations of PAHs and wastes. The OPA removal action is projected to be completed in October 20015.

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Bunge Street Properties, LLC (Bunge) has been identified as the current owner and/or operator of the northern portion of the Site. Enclosure A explains the General Notice and the basis for the EPA's determination that Bunge is a PRP and offers you the opportunity to meet with EPA representatives to discuss your liability at the Site. Also included in this letter as Enclosure B is the evidentiary documents, Enclosure C is the Small Business Resource Fact Sheet, and Enclosure D list the parties receiving this letter.

We encourage you to give this matter your immediate attention and request. Thank you in advance for your cooperation. We look forward to working closely with you in the future. If you have any questions regarding the notice or any of the documentation included, please contact Mr. Kenneth Talton at 214-665-7475. Questions concerning legal matters should be directed to EPA attorney Ms. I-Jung Chiang, at 214-665-2160. Thank you for your attention to this matter.

Sincerely yours,

Ben Banipal, P.E.
Associate Director
Technical and Enforcement Branch (SF-T)
Superfund Division

Enclosures

- A General Notice
- B Evidentiary Documents
- C Small Business Resource Fact Sheet
- D Parties Receiving General Notice letter

ENCLOSURE A

SBA SHIPYARD SUPERFUND SITE JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA

GENERAL NOTICE

This Notice is from the U.S. Environmental Protection Agency (EPA). This Notice is directed to you, the Potentially Responsible Party (PRP) of the SBA Shipyard Superfund Site. This Notice does five things:

1. This Notice tells you that you may be responsible for the presence of hazardous substances found at the Site. When we say "Site" or "property" in this Notice, we mean the SBA Shipyard Superfund Site located on the west bank of the Mermentau River at the end of Louisiana Highway 3166 approximately four miles southeast of Jennings, Louisiana and approximately two miles southwest of the Mermentau River. SBA is situated on approximately 98 acres of land located in a rural-industrial area, at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana. The facility is within Section 19 of Range 2W, Township 10S. The facility was used to construct, repair, and clean out barges and other marine vessel during the mid-1960's to the early 1990's. This Notice is issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).
2. This Notice provides background information leading up to the EPA's investigation of the Site and the EPA's activities to determine the source of the contamination.
3. This Notice invites you to meet with EPA representatives to discuss your liability at the Site.
4. This Notice explains that the EPA will consider your ability to pay in determining an appropriate settlement amount.
5. The EPA is providing information regarding small business owners.

NOTICE THAT YOU MAY BE LIABLE

Under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), responsible parties are those who are current owners or operators of a facility, past owners or operators who owned or operated the facility at the time hazardous substances were released or disposed of at the facility, persons who arranged for disposal or treatment at the facility (usually the person(s) who generated the hazardous substance), or persons who selected that facility and transported the hazardous substances to the facility. Section 107(a) of CERCLA states that responsible parties are liable to the United States for the costs it has incurred or will incur conducting response actions at the SBA Shipyard Superfund Site. A PRP is therefore responsible for performing the cleanup action in accordance with the EPA requirements or paying for the cleanup by the EPA and reimbursing the Federal Government for past and future costs of the cleanup activities.

BACKGROUND

The SBA Shipyard Superfund Site (Site) is situated on approximately 98 acres of land located in a rural-industrial area, at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana. The facility is located in south Jennings, LA and bordered to the north by residents, south and west by wetlands, and to the east by the Mermentau River. Access to the property is restricted with fencing and locked gates.

SBA Shipyards, Inc., (SBA) was incorporated in the state of Louisiana on June 2, 1965, for the purpose of construction, repair, retrofitting, cleaning of barges and other marine vessels. SBA operated a barge cleaning and barge repair facility at the Site from 1965 to 1993. The facility is now inactive and abandoned.

Barges serviced at the Site typically held diesel, coal tar, crude oil, gasoline and asphalt. Wastes from the barge cleaning operations were managed in a waste management area that included four impoundments, a land treatment unit (LTU), and storage tanks. The wastes consisted of petroleum hydrocarbons which are the primary contaminants. The hydrocarbons were separated from the water into surface impoundments that were known as the Oil Pit, Water Pit 1, Water Pit 2 and Water Pit 3. Water was recycled to barge cleaning and some of the water was converted to steam for the cleaning operations.

Numerous attempts were made to bio-remediate and close the impoundments which began in 1989. In 1991 the bioremediation was determined to be unsuccessful. Land treatment of wastes continued through 1993.

On December 9, 2002, SSIC Remediation, L.L.C., (SSIC) entered into an Order and Agreement for Interim Measures/Removal Action (IM/RA) of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., pursuant to Resource Conservation Recovery Act (RCRA) Section 3008(h) with EPA. Approximately 33.8 million pounds of oils, waxes and sludges, pumpable oily material and oily tank heels, 70 tons of contaminated debris, and 88 tons of recyclable scrap steel were removed from the Site under the IM/RA.

As part of the IM/RA, the Oil Pit and wastes from the storage tanks were stabilized and solidified for off-site disposal. Approximately 750,000 gallons of uncontaminated pond water were pumped from the former Water Pit to the drainage ditch that drains to the Mermentau River. The emptied Water Pit was then used to receive treated storm water from the partially buried barge. Pumpable oil materials were removed and buried which was then used to store contaminated storm water prior to treatment and discharge to the emptied Water Pit.

In September 2012, the Louisiana Department of Environmental Quality (DEQ) referred the Site to EPA for potential response action. In May 2013, EPA conducted a Preliminary Assessment of the site and the final report which is dated June 3, 2013, confirmed the contamination of the site referenced above. On October 23 and 25, 2013, the United States Coast Guard responded to a release from an on-site buried barges.

As mentioned in the transmittal letter for this notice, EPA has completed the OPA removal action and the emergency removal action at the Site.

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers, which offer various forms of resources to small businesses. You may inquire about these resources at www.epa.gov. In addition, the EPA Small Business Ombudsman may be contacted at www.epa.gov/sbo. Finally, EPA developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA), which is enclosed with this letter (Enclosure C).

YOUR RESPONSE TO EPA

In addition to oral notification, please notify Mr. Talton in **writing** at the address indicated below ***within seven (7) calendar days of the date of receipt of this letter*** to indicate your willingness to meet with EPA representatives to discuss your liability at the Site. **If the EPA does not receive your written response within seven (7) calendar days, the EPA will then take whatever actions are necessary to abate the potential threat to human health and the environment posed by contaminants on the property.**

Your response to this letter and questions regarding the matters in this letter should be directed to:

Mr. Kenneth Talton, Enforcement Officer
Superfund Enforcement Assessment Section (6SF-TE)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733
talton.chuck@epa.gov

If you or your attorney have legal questions pertaining to this matter, please direct them to:

Ms. I-Jung Chiang, Attorney
Office of Regional Counsel (6RC-S)
U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733
Chiang.I-Jung@epa.gov

The discussions of fact or law in this Notice are meant to help you understand CERCLA and the EPA's actions at the Site. The discussions of fact and law are not final positions on any matter discussed in this Notice.

OPPORTUNITY TO MEET

The EPA will provide you an opportunity to meet with EPA representatives to discuss your liability. If you wish to participate in such a meeting, please notify Mr. Talton.

ABILITY TO PAY SETTLEMENTS

The EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. In accordance with Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7), EPA will review financial information that you submit in order to determine whether you have an inability or a limited ability to pay response costs incurred at the Site. As part of this review, EPA will take into consideration your overall financial condition and demonstrable constraints on your ability to raise revenue.

Based upon the financial information that you may submit, EPA will determine whether it can qualify for a reduction in the settlement amount and/or an alternative payment method within the meaning of Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7).

If you believe that you qualify for a reduction in any settlement amount and/or alternative payment amount under the criteria described in the paragraphs above, please contact Mr. Kenneth Talton, at 214-665-7475 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements and an information request for your relevant financial information, and you will be asked to submit financial records including business federal income tax returns. If EPA concludes that you have a legitimate inability to pay the full amount of the response costs, EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because EPA has a potential claim against you, if your financial status changes in any significant way, e.g., filing for bankruptcy, you must include EPA as a creditor. The EPA reserves the right to file a proof of claim or an application for reimbursement of administrative expenses.

RESOURCES AND INFORMATION FOR SMALL BUSINESSES

As you may be aware, on January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may obtain a copy of the law via the Internet at:

<http://www.epa.gov/swerosps/bf/sblrbra.htm>

and review the EPA guidance regarding these exemptions at:

<http://www.epa.gov/compliance/resources/policies/cleanup/superfund>

ENCLOSURE B

**SBA SHIPYARD SUPERFUND SITE
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA
GENERAL NOTICE LETTER**

EVIDENTIARY DOCUMENTATION

Property Records

Jefferson Davis Parish Assessor's Office
300 N. State Street, Suite 103
Jennings, LA, 70546
 Tax Roll Updated 09/09/2014

YEAR	TAX ACCOUNT	ASSESSMENT	PARCEL NO.	TAX AUTHORITY.	WARD	STATUS
2014	4187	200409500	0200409500	WARD 2	2	ACTIVE

TAXPAYER INFORMATION

SMAILHALL, LOUIS & SUZANNE C.
6430 BUFFALO SPEEDWAY
HOUSTON, TX 77005-3829

PROPERTY LOCATION

Block null, Lot null

☐ Assessment Freeze ☐ Abatement

ALL OWNERS	ADDRESS	OWNERSHIP
SMAILHALL, LOUIS & SUZANNE C.	HOUSTON, TX 77005-3829 SMAILHALL, LOUIS & SUZANNE C.	100.00%

ASSESSED VALUES

DESCRIPTION	UNIT	TOTAL	HOMESTEAD	TAXABLE
RES ACREAGE (MV) 1-3 Acres	32.00U	\$16,000	\$0	\$16,000
TMBR. CLASS IV- Use Value	32.00A	\$240	\$0	\$240
	TOTALS	\$16,240	\$0	\$16,240

ESTIMATED TAXES

PARISH WIDE TAXES	MILLAGE	TOTAL	HOMESTEAD	TAXES DUE
DD - BROADMORE DRAINAGE	7.47M	\$121.31	\$0.00	121.31
FIRE DISTRICT 2 MAINT	11.31M	\$183.67	\$0.00	183.67
FORESTRY PROTECTION FEE	0.08F	\$2.56	\$0.00	2.56
PARISH GENERAL - OUTSIDE	4.10M	\$66.58	\$0.00	66.58
PW - ASSESSMENT DIST	2.51M	\$40.76	\$0.00	40.76
PW - CO-OP EXTENSION SVC	0.97M	\$15.75	\$0.00	15.75
PW - COURTHOUSE MAINT	2.52M	\$40.92	\$0.00	40.92
PW - LAW ENFORCEMENT-CONST	6.20M	\$100.69	\$0.00	100.69
PW - LAW ENFORCEMENT-VOTED	5.95M	\$96.63	\$0.00	96.63
PW - LIBRARY	5.78M	\$93.87	\$0.00	93.87
PW - MOSQUITO ABATEMENT	8.70M	\$141.29	\$0.00	141.29
PW - PARISH SCHOOL-CONST	6.48M	\$105.24	\$0.00	105.24
PW - PARISH SCHOOL-VOTED	10.77M	\$174.90	\$0.00	174.90
ROAD DISTRICT 10	11.00M	\$178.64	\$0.00	178.64
SCHOOL DISTRICT 2 BOND	14.00M	\$227.36	\$0.00	227.36
SCHOOL DISTRICT 2 MAINT	10.73M	\$174.26	\$0.00	174.26
PARISH WIDE TAX TOTAL		\$1,764.43	\$0.00	\$1,764.43

TAX TOTAL	\$1,764.43	\$0.00	\$1,764.43
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PROPERTY DESCRIPTION

LOTS 1 5 & THAT PART LOT 2 S OF 17.63 AC TRACT IN 19-10-2. LESS 4.4 ACS AS PER PLAT 538-782, LESS 29.15 ACRES SOLD BK 880 PAGE 405. 294-150 362-590 536-712 538-755

TRANSFER	PURCHASE PRICE	BOOK	PAGE	INSTRUMENT NO.	TYPE
1/1/1990	0				N/A

The data listed on this web site is updated weekly by the Assessor's office. For property transfers with no legal description changes, this data is updated in the Assessor's office approximately 3 to 4 weeks from the filing date as they are acquired from the Clerk of Court's office. For large tracts and descriptions that appear to be erroneous may be longer in being posted.

Property Values and Taxes will approximate until all taxing body millage resolutions are certified by the legislative auditor and the tax roll is certified by the Louisiana Tax Commission.

The user accepts the data "as is" with no guarantee or warranty of accuracy, currency, completeness, or fitness for any use.

**Jefferson Davis Parish Assessor
Current Assessment Listing**

Parcel#

200409500

Primary Owner

SMAILHALL, LOUIS & SUZANNE C.

Mailing Address

C/O S B A SHIPYARD

6430 BUFFALO SPEEDWAY

HOUSTON TX 77005-3829

Ward

2

Type

RE

Legal

LOTS 1 5 & THAT PART LOT 2 S OF 17.63 AC TRACT IN 19-10-2. LESS 4.4 ACS AS PER PLAT
538-782, LESS 29.15 ACRES SOLD BK 880 PAGE 405. 294-150 362-590
536-712 538-755

Physical Address**Parcel Items**

Property Class	Assessed Value	Units	Homestead
TMBR. CLASS IV- Use Value	282	32.00	0
RES ACREAGE (MV) 1-3 Acres	16,000	32.00	0
TOTAL	16,282	64.00	0

Deeds

Deed#	Type	Date	Amount	Book	Page
	UNKNOWN	1/1/1990	0		

Ownership History

Homestead?	Name	Primary?	% Ownership	% Tax	From	To	Address
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Homestead?	Name	Primary?	% Ownership	% Tax	From	To	Address
NO	SMAILHALL, LOUIS & SUZANNE C.	YES	100.0000	100.0000	1/1/1990		

Locations

Subdivision	Block	Lot	Section	Township	Range	Tract
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PARISH

Millage	Mills	Taxpayer Tax	Homestead Tax
ROAD DISTRICT 10	11.0000	179.10	0.00
SCHOOL DISTRICT 2 MAINT	10.7300	174.71	0.00
PARISH GENERAL - OUTSIDE	4.1000	66.76	0.00
FIRE DISTRICT 2 MAINT	11.3100	184.15	0.00
DD - BROADMORE DRAINAGE	8.8000	143.28	0.00
FORESTRY PROTECTION FEE	0.0000	2.56	0.00
SCHOOL DISTRICT 2 BOND	13.0000	211.67	0.00
PW - ASSESSMENT DIST	2.5100	40.87	0.00
PW - CO-OP EXTENSION SVC	0.9700	15.79	0.00
PW - COURTHOUSE MAINT	2.5200	41.03	0.00
PW - LAW ENFORCEMENT- CONST	6.2000	100.95	0.00
PW - LAW ENFORCEMENT- VOTED	5.9500	96.88	0.00
PW - LIBRARY	5.7800	94.11	0.00
PW - PARISH SCHOOL-VOTED	10.7700	175.36	0.00
PW - PARISH SCHOOL-CONST	6.4800	105.51	0.00
PW - MOSQUITO ABATEMENT	8.0000	130.26	0.00
TOTALS	108.1200	1,762.99	0.00

Tom Schedler
Secretary of State

State of
Louisiana
Secretary of
State



COMMERCIAL DIVISION
225.925.4704

Fax Numbers
225.932.5317 (Admin. Services)
225.932.5314 (Corporations)
225.932.5318 (UCC)

Name	Type	City	Status
BUNGE STREET PROPERTIES, LLC	Limited Liability Company	COVINGTON	Active

Previous Names

LEE VAC SHIPYARDS, LLC (Changed: 12/19/2011)

LEE VAC SHIPYARDS, INC. (Changed: 12/19/2006)

Business: BUNGE STREET PROPERTIES, LLC

Charter Number: 34208867K

Registration Date: 5/19/1986

State Of Origin:

Domicile Address

217 NORTH COLUMBIA STREET
COVINGTON, LA 70433

Mailing Address

C/O CHRISTIAN G. VACCARI
217 NORTH COLUMBIA STREET
COVINGTON, LA 70433

Status

Status: Active

Annual Report Status: In Good Standing

File Date: 5/19/1986

Last Report Filed: 7/9/2014

Type: Limited Liability Company

Registered Agent(s)

Agent:	CHRISTIAN G. VACCARI
Address 1:	217 NORTH COLUMBIA STREET
City, State, Zip:	COVINGTON, LA 70433
Appointment Date:	12/19/2006

Agent:	JAMES HEURTIN
Address 1:	217 NORTH COLUMBIA STREET
City, State, Zip:	COVINGTON, LA 70433

**Appointment
Date:** 7/9/2014

Officer(s)

Additional Officers: No

Officer: CHRISTIAN G. VACCARI
Title: Manager
Address 1: 217 NORTH COLUMBIA STREET
City, State, Zip: COVINGTON, LA 70433

Amendments on File (4)

Description	Date
Domicile, Agent Change or Resign of Agent	10/14/1993
Conversion	12/19/2006
Name Change	12/19/2006
Name Change	12/19/2011

Print

TRANSFER	PURCHASE PRICE	BOOK	PAGE	INSTRUMENT NO.	TYPE
1/1/1990	0				N/A

Property Values and Taxes will approximate until all taxing body millage resolutions are certified by the legislative auditor and the tax roll is certified by the Louisiana Tax Commission.

The user accepts the data "as is" with no guarantee or warranty of accuracy, currency, completeness, or fitness for any use.

**Jefferson Davis Parish Assessor
Current Assessment Listing**

Parcel#

200287714

Primary Owner

BUNGE STREET PROPERTIES, LLC

Mailing Address

P. O. BOX 1190

JENNINGS LA 70546

Ward

2

Type

RE

Legal

BEG AT A POINT LOCATED S00 DEG 10'00"E1096.50' & N63 DEG 20'00"E767.30' FROM THE MOST NORTHWESTLY COR OF 19-10-2; THENCE N63 DEG 20'00"E254.69' TO THE MEAN LOW WATER LINE OF THE MERMENTAU RIVER; THENCE S88 DEG 23'31"E ALONG THE SOUTHERLY BANK OF THE MERMENTAU RIVER A DISTANCE OF 150.44'; THENCE S75 DEG 36'58"E375.29' THENCE S83 DEG 32'51"E196.19'; THENCE S75 DEG 14'09"E150.68'; THENCE N89 DEG 35' 59"E336.61'; THENCE S71 DEG 42'06"E114.14'; THENCE S62 DEG 28'02"E157.43'; THENCE S37 DEG 24'16"E378.27'; THENCE S35 DEG 04'54"E50.72'; THENCE S27 DEG 09' 23"E311.32'; THENCE LEAVING THE MERMENTAU RIVER S84 DEG 57'34"W976.29'; THENCE S08 DEG 18'14"E45.80'; THENCE S86 DEG 50'21"W352.30'; THENCE N00 DEG 10'00"W454.84'; THENCE S85 DEG 47'25"W577.41'; THENCE N18 DEG 50'10"W535.60' TO P.O.B. 938-162 #593490 989-844 #622812 880-405 #688281 #688282 #688283 #688284

Physical Address**Parcel Items**

Property Class	Assessed Value	Units	Homestead
GAR., IND., LOFT & WRHSE.	101,250	1.00	0
GAR., IND., LOFT & WRHSE.	73,500	1.00	0
COM. ACREAGE (MV) 3+ Acres	15,340	29.00	0

Property Class	Assessed Value	Units	Homestead
TOTAL	190,090	31.00	0

Deeds

Deed#	Type	Date	Amount	Book	Page
	UNKNOWN	1/1/1990	0		

Ownership History

Homestead?	Name	Primary?	% Ownership	% Tax	From	To Address
NO	BUNGE STREET PROPERTIES, LLC	YES	100.0000	100.0000	1/1/1990	

Locations

Subdivision	Block	Lot	Section	Township	Range	Tract
			19	10S	02W	

PARISH

Millage	Mills	Taxpayer Tax	Homestead Tax
ROAD DISTRICT 10	11.0000	2,090.99	0.00
SCHOOL DISTRICT 2 MAINT	10.7300	2,039.67	0.00
PARISH GENERAL - OUTSIDE	4.1000	779.36	0.00
FIRE DISTRICT 2 MAINT	11.3100	2,149.93	0.00
DD - BROADMORE DRAINAGE	8.8000	1,672.79	0.00
SCHOOL DISTRICT 2 BOND	13.0000	2,471.17	0.00
PW - ASSESSMENT DIST	2.5100	477.12	0.00
PW - CO-OP EXTENSION SVC	0.9700	184.39	0.00
PW - COURTHOUSE MAINT	2.5200	479.03	0.00
PW - LAW ENFORCEMENT-CONST	6.2000	1,178.56	0.00
PW - LAW ENFORCEMENT-VOTED	5.9500	1,131.03	0.00
PW - LIBRARY	5.7800	1,098.72	0.00
PW - PARISH SCHOOL-VOTED	10.7700	2,047.26	0.00
PW - PARISH SCHOOL-CONST	6.4800	1,231.78	0.00
PW - MOSQUITO ABATEMENT	8.0000	1,520.72	0.00
TOTALS	108.1200	20,552.52	0.00

611337
NOTICE OF
SEISMIC PERMIT AND LEASE
OPTION AGREEMENT

RECEIVED AND FILED
2005 APR 15 AM 9:35 -

8045

925

STATE OF LOUISIANA
PARISH OF JEFFERSON DAVIS

This Agreement entered into on June 03, 2004, by and between S.B.A. SHIPYARD, represented by Louis H. Smalhall, Jr., whose address is P.O. Box 1386, Jennings, LA 70546, SUZANNE SMAIHALL CORNELIUS, represented by Louis H. Smalhall, Jr., Attorney-in-Fact, whose address is 6430 Buffalo Speedway, Houston, TX 77005 & LOUIS H. SMAIHALL, JR., a person of full age, whose address is P.O. Box 1386, Jennings, LA 70546, hereinafter referred to as "Optionor(s)", and Energy Lease & Permit, Inc., whose address is 1304 Bertrand Ste E7, Lafayette, LA 70506, hereinafter referred to as "ELP, Inc.".

WITNESSETH:

Optionor(s) and ELP, Inc. have this day entered into Seismic Permit and Lease Option Agreement ("Option Agreement") covering the following described lands located in Jefferson Davis Parish, Louisiana (the "lands"), to wit:

Tract: 1 Tract Gross Acres : 64.000 Section 19, Township 10 South, Range 2 West

That certain tract of land containing 65.00 acres, more or less, being located in Section 19, Township 10 South, Range 2 West, being Lots 1 and 5 of Section 19, Township 10 South, Range 2 West, LESS AND EXCEPT 4.40 acres described in that Act of Sale dated September 21, 1982, filed September 22, 1982, Under Entry Number 439464, Conveyance Book 538, Page 782, and LESS AND EXCEPT 29.15 acres, more or less, described in that Act of Sale and Mortgage dated March 26, 1999, filed March 26, 1999, Under Entry Nuber 560670, Conveyance Book 880, Page 405 of the Conveyance Records of Jefferson Davis Parish, Louisiana, said tract being bounded, now or formerly, as follows: North by Leevac Industries, L.L.C.; West by Bowman Land Company; South by Ethel Bowman, et al and in part by the Mermenau River; and East by the Mermenau River.

Containing 64.000 gross acres, more or less, whether properly or specifically described or not.

All parties hereto agree that this agreement shall cover and include any and all right, title and interest which Optionor(s) herein may own or claim underlying any road, canal, ditch, servitude, right-of-way or waterway which passes through, over or adjacent to the lands herein described, whether specifically described or not, and that the monies due and paid under this agreement constitutes adequate consideration for the inclusion of same herein.

In the Option Agreement, Optionor(s) grants to ELP, Inc. the exclusive right and irrevocable option, for a period of Twenty-Four months from this date, of entering upon and conducting oil and gas related geophysical operations upon, over and across the lands, together with all privileges necessary, useful or convenient in connection therewith, and further grants the exclusive right and option to acquire an Oil, Gas and Mineral Lease or Oil, Gas and Mineral Leases, having a primary term of Three (3) years covering all or any part of Optionor(s)'s unleased mineral interests in, to and under all of the lands, subject to the terms and conditions set forth more fully in the Option Agreement. ELP, Inc. or its assigns can extend for an additional six months the right to conduct seismic operations and the option period to acquire an Oil, Gas and Mineral Lease(s) by making the payment described therein.

This Notice of Seismic Permit and Lease Option Agreement is subject to the terms and conditions of that certain Option Agreement of even date herewith between the parties hereto which, with all of its terms, covenants and other conditions, is hereby referred to and incorporated herein the same as if copied in full herein at this point

Optionor(s) and ELP, Inc. are executing this Notice of Seismic Permit and Lease Option Agreement for the purpose of placing the same of record in the aforementioned Parish and State, to give constructive notice of all of the terms of the Option Agreement in lieu of recording the Option Agreement in its entirety.

IN WITNESS WHEREOF, this Notice of Seismic Permit and Lease Option Agreement is executed as of the day, month and year first hereinabove written

Rene P. Mouton
Rene P. (Witness) Mouton

Bo Dammiller
Energy Lease & Permit, Inc.

Stacie Bourque
Stacie (Witness) Bourque

Russell A. Cattery
Russell A. (Witness) Cattery

Louis H. Smalhall, Jr.
Louis H. Smalhall, Jr., representing his own interests, SBA Shipyards, and as Attorney-in-Fact for Suzanne Smalhall Cornelius

Leona B. Smalhall

72-0602084

STATE OF 926

PARISH (OR COUNTY) OF _____

On this _____ day of _____, 20____, before me personally appeared _____ to me known to be the person described in and who executed the forgoing instrument, and acknowledged that _____ executed the same as _____ free act and deed.

NOTARY PUBLIC

STATE OF LOUISIANA

PARISH OF JEFFERSON DAVIS

BEFORE ME, the undersigned Notary Public, on this day personally appeared RUSSELL CAFFERY, who, being by me duly sworn, stated under oath that he was one of the subscribing witnesses to the foregoing instrument and that the same was signed by LOUIS H. SMAIHALL, JR., representing his own interests, S.B.A. SHIPYARD, and as Attorney-in-Fact for SUZANNE SMAIHALL CORNELIUS, in his presence and in the presence of the other subscribing witness (es).

SWORN TO AND SUBSCRIBED before me JUNE 9, 2004.

Mitchell A. Williams
[Signature] (068829)
Notary Public in and for *Lafayette* Parish, Louisiana.

CORPORATE ACKNOWLEDGEMENT

ON THIS 9 day of JUNE, 2004, before me appeared LYLE GREMILLION to me personally known, who, being by me duly sworn, did say that he is the PRESIDENT of the ENERGY LEASE & PERMIT, INC., and that said instrument was signed on behalf of said corporation by authority of its Board of Directors and said LYLE GREMILLION acknowledged said instrument to be the free act and deed of said corporation.

Lyle Gremillion
[Signature] (068829)
Notary Public in and for *Lafayette Parish Louisiana*

Tom Schedler
Secretary of State

State of
Louisiana
Secretary of
State



COMMERCIAL DIVISION
225.925.4704

Fax Numbers
225.932.5317 (Admin. Services)
225.932.5314 (Corporations)
225.932.5318 (UCC)

Name	Type	City	Status
S B A SHIPYARDS, INC.	Business Corporation	JENNINGS	Active

Business: S B A SHIPYARDS, INC.

Charter Number: 27013000D

Registration Date: 6/8/1965

State Of Origin:

Domicile Address

FOOT OF CASTEX ROAD, BOX 1386
JENNINGS, LA 70546

Mailing Address

6430 BUFFALO SPEEDWAY
HOUSTON, TX 77005

Status

Status: Active

Annual Report Status: In Good Standing

File Date: 6/8/1965

Last Report Filed: 5/17/2014

Type: Business Corporation

Registered Agent(s)

Agent:	D. KEITH WALL
Address 1:	302 EAST NEZPIQUE ST.
City, State, Zip:	JENNINGS, LA 70546
Appointment Date:	4/5/2005

Officer(s)

Additional Officers: No

Officer:	SUZANNE SMATHALL CORNELIUS
Title:	President, Secretary/Treasurer
Address 1:	6430 BUFFALO SPEEDWAY
City, State, Zip:	HOUSTON, TX 77005

No. 299739 Filed & Recorded 2-65 in Charter
 of the State of Louisiana, Parish of Jefferson Davis

UNITED STATES OF AMERICA
 STATE OF LOUISIANA
 PARISH OF JEFFERSON DAVIS

RECEIVED AND FILED
 1965 JUN -2 PM 2:10
 CLERK OF COURT
 JEFFERSON DAVIS PARISH

ARTICLES OF INCORPORATION

OF

S B A SHIPYARDS, INC.

June

BE IT KNOWN, THAT ON THIS 2nd DAY OF ~~XX~~, 1965,

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED IN
 AND FOR THE PARISH OF JEFFERSON DAVIS, STATE OF LOUISIANA, AND IN THE PRESENCE OF THE
 WITNESSES HEREINAFTER NAMED AND UNDERSIGNED:

PERSONALLY CAME AND APPEARED:

THE SEVERAL PERSONS WHOSE NAMES ARE HEREUNTO SUBSCRIBED, ALL OF THE FULL AGE
 OF MAJORITY, WHO DECLARED TO ME, NOTARY PUBLIC, IN THE PRESENCE OF THE UNDERSIGNED
 COMPETENT WITNESSES, RESIDING IN THE STATE OF LOUISIANA, THAT AVAILING THEMSELVES OF
 THE LAWS OF THE STATE OF LOUISIANA, ESPECIALLY THE PROVISIONS OF THE GENERAL CORPORA-
 TION LAWS AND REVISED STATUTES, AS AMENDED, THEY DO HEREBY ORGANIZE THEMSELVES, THEIR
 SUCCESSORS AND ASSIGNS, INTO A CORPORATION IN PURSUANCE OF THE SAID LAWS, UNDER AND IN
 ACCORDANCE WITH THE FOLLOWING ARTICLES OF INCORPORATION, TO-WIT:

ARTICLE I

THE NAME OF THIS CORPORATION SHALL BE:

S B A SHIPYARDS, INC.

ARTICLE II

THE LIFE OF THIS CORPORATION SHALL BE NINETEEN (19) YEARS FROM THE DATE
 HEREOF, UNLESS SOONER DISSOLVED.

ARTICLE III

THE DOMICILE OF THIS CORPORATION SHALL, UNTIL OTHER LOCATION BE MADE, BE
 IN THE PARISH OF JEFFERSON DAVIS, STATE OF LOUISIANA.

THE POST OFFICE ADDRESS OF ITS REGISTERED OFFICE SHALL BE P. O. BOX 131,
 JENNINGS, LOUISIANA.

THE FULL NAMES AND POST OFFICE ADDRESSES OF THE INITIAL DIRECTORS ARE AS FOL-
 LOWS:

LOUIE SMITHALL, JENNINGS, LA.
 LELAND JOHNSON, JENNINGS, LOUISIANA.

ARTICLE IV

THE OBJECTS AND PURPOSES FOR WHICH THIS CORPORATION IS ORGANIZED AND THE NATURE OF THE BUSINESS AND/OR BUSINESSES TO BE CARRIED ON BY IT, ARE STATED AND DECLARED TO BE AS FOLLOWS, TO-WIT:

TO BUY AND SELL AT WHOLESALE, OR RETAIL, MARINE EQUIPMENT OF ALL KINDS INCLUDING PARTS AND SUPPLIES FOR BOATS, BARGES, AND OTHER MARINE EQUIPMENT AND RELATED ITEMS. TO OWN AND OPERATE GENERAL MARINE SERVICE STORES FOR THE SERVICE OF MARINE EQUIPMENT AND FOR THE SALE OF MARINE EQUIPMENT, PARTS, SUPPLIES, ETC. THESE PURPOSES SHALL INCLUDE DEALING IN BOATS, BARGES, ENGINES AND RELATED ITEMS AS WELL AS ALL SUCH ITEMS COMMONLY USED BY BOAT OPERATORS, ETC. INCLUDING FUEL AND PROVISIONS.

TO OWN AND OPERATE GENERAL MACHINE SHOPS, GARAGES, REPAIR SERVICES, ETC., FOR MACHINERY OF ALL KINDS, MOTORS AND/OR ENGINES OF ALL KINDS, BOATS, VEHICLES OF ALL KINDS, ETC.

TO ENGAGE IN CONSTRUCTION BUSINESS, BUILDING BOATS AND BARGES, TO DO STEEL FABRICATING, ETC.

TO OWN AND OPERATE SHIPYARDS FOR THE REPAIR AND/OR CONSTRUCTION OF BOATS, BARGES, ETC., AND TO DO ANY AND ALL THINGS NECESSARY OR INCIDENTAL TO SUCH OPERATIONS.

TO OPERATE TUG BOATS, CREN BOATS, BARGES AND ANY OTHER WATER CRAFT FOR THE PURPOSE OF TRANSPORTING PERSONS, OIL, MERCHANDISE OF ALL KINDS, OILFIELD EQUIPMENT AND ANY OTHER MOVING OR TRANSPORTING BY WATER.

TO BUY AND /OR LEASE BOATS, BARGES, ETC. AND ANY OTHER MARINE EQUIPMENT AND/OR LAND EQUIPMENT, INCLUDING REAL AND/OR PERSONAL PROPERTY THAT MAY BE NECESSARY FOR THE CONDUCTING OF A GENERAL MARINE TOWING BUSINESS.

TO BUY AND SELL BOATS AND BARGES AND OTHER MARINE EQUIPMENT AND REPAIR PARTS, ETC. FOR SUCH ITEMS.

TO OWN AND OPERATE, BUY AND SELL, LEASE AND SUB-LEASE, AND GENERALLY TO DEAL IN REAL ESTATE, IMPROVED OR UNIMPROVED.

TO ACQUIRE ITS OWN SHARES OF STOCK, BY PURCHASE OR OTHERWISE, SO FAR AS MAY BE PERMITTED BY LAW, AND TO CANCEL, HOLD, SELL, TRANSFER OR REISSUE THE SAME.

TO DO ANY AND ALL THINGS SET FORTH, TO THE SAME EXTENT AND AS FULLY AS NATURAL PERSONS MIGHT, OR COULD DO AND IN ANY PART OF THE WORLD, AND AS PRINCIPAL, AGENT, CONTRACTOR, OR OTHERWISE, AND EITHER ALONE OR IN CONJUNCTION WITH OTHER PERSONS, FIRMS, ASSOCIATIONS OR CORPORATIONS.

ARTICLE V

THE CAPITAL STOCK OF THIS CORPORATION IS FIXED AT FIVE HUNDRED (500) SHARES OF COMMON STOCK HAVING NO PAR OR STATED VALUE. EACH SHARE OF STOCK SHALL ENTITLE THE

HOLDER THEREOF TO ONE VOTE AT ALL STOCKHOLDERS' MEETINGS. VOTING SHALL BE IN PERSON OR BY PROXY, GENERAL OR SPECIFIC.

ALL CERTIFICATES OF STOCK SHALL BE SIGNED BY THE PRESIDENT, OR VICE-PRESIDENT, AND SECRETARY.

ALL STOCK SHALL BE ISSUED FOR CASH OR ITS EQUIVALENT OR MAY BE ISSUED FOR PROPERTY ACTUALLY PURCHASED OR FOR SERVICES ACTUALLY RENDERED, OR IN PAYMENT OF CORPORATE INDEBTEDNESS OR FOR STOCK OF OTHER CORPORATIONS, OR FOR SUCH OTHER CONSIDERATIONS, OR SERVICES, INCLUDING GOODWILL, TRADE-MARKS, TRADE NAMES AND RIGHTS, FRANCHISES AND PRIVILEGES, AS THE BOARD OF DIRECTORS MAY DETERMINE.

ANY AND ALL SHARES OF WHICH THE CONSIDERATION, DETERMINED PURSUANT TO THE FOREGOING PROVISIONS HAS BEEN PAID, DELIVERED AND/OR RENDERED TO THE CORPORATION, SHALL BE FULLY PAID STOCK AND SHALL BE WHOLLY NONASSESSABLE.

NO SHAREHOLDER OF THIS CORPORATION SHALL BE LIABLE OR RESPONSIBLE FOR ANY ACTS, CONTRACTS OR LIABILITIES OF THE CORPORATION, NOR SHALL ANY OF ITS OFFICERS, AGENTS, OR EMPLOYEES, NOR SHALL ANY INFORMALITY IN THE ORGANIZATION OF THIS CORPORATION HAVE THE EFFECT OF RENDERING THESE ARTICLES OF INCORPORATION NULL AND VOID, OR OF EXPOSING ANY SHAREHOLDER TO ANY LIABILITY BEYOND THE OBLIGATION OF COMPLIANCE WITH THE TERMS OF HIS SUBSCRIPTION TO THE STOCK OF THIS CORPORATION.

ARTICLE VI

NO SHAREHOLDER SHALL HAVE THE RIGHT TO ASSIGN, SELL, ENCUMBER, TRANSFER, OR ALIENATE ANY OF THE STOCKHOLDINGS OF THIS CORPORATION IN ANY MANNER WITHOUT FIRST HAVING OFFERED SAME TO THE CORPORATION AND TO THE OTHER STOCKHOLDERS. ANY STOCK IN THIS CORPORATION SHALL FIRST BE OFFERED TO THE CORPORATION AND THE CORPORATION SHALL HAVE FIFTEEN (15) DAYS FROM DATE OF OFFER TO ACCEPT OR DECLINE THE PURCHASE OF SUCH STOCK BEING OFFERED BY THE STOCKHOLDER. IN THE EVENT THE CORPORATION DECLINES TO PURCHASE ALL OR PART OF SUCH STOCK OFFERED, THEN THE REMAINING STOCKHOLDERS SHALL HAVE THE RIGHT TO PURCHASE SUCH STOCK OFFERED IN ACCORDANCE WITH THEIR PRESENT PRORATA STOCK OWNERSHIP IN THE CORPORATION. THE REMAINING STOCKHOLDERS SHALL HAVE THIRTY (30) DAYS AFTER THE EXPIRATION OF THE CORPORATION'S FIFTEEN (15) DAY PERIOD IN WHICH TO ACCEPT OR DECLINE SUCH STOCK OFFERED. ANY SUCH STOCK OFFERED FOR SALE TO THE CORPORATION AND TO THE OTHER STOCKHOLDERS MAY BE PURCHASED IN WHOLE OR IN PART. ALL OFFERS OF STOCK MADE IN ACCORDANCE WITH THIS ARTICLE SHALL BE AT BOOK VALUE OF SAID STOCK AT THE CLOSE OF THE MONTH PRECEDING DATE OF SUCH OFFER. BOOK VALUE IS HEREBY DEFINED AS THE ACTUAL BOOK VALUE AS DETERMINED BY THE CORPORATION'S REGULARLY EMPLOYED CERTIFIED PUBLIC ACCOUNTANT AND SUCH VALUE SHALL NOT BE ADJUSTED FOR ANY GOODWILL NOT ALREADY ON THE CORPORATION'S BOOKS AND NO ASSETS, FIXED OR OTHERWISE, SHALL BE REVALUED.

IN THE EVENT OF DEATH OF ANY STOCKHOLDER, THE CORPORATION AND THE OTHER STOCKHOLDERS SHALL HAVE THE OPTION OF PURCHASING THE DECEASED STOCKHOLDER'S STOCK-HOLDINGS IN THIS CORPORATION IN THE SAME MANNER AS HERETOFORE SET FORTH AS IF THE DECEASED STOCKHOLDER WERE LIVING AND HAD OFFERED SUCH STOCK FOR SALE.

ALL PURCHASES OF STOCK BY THE CORPORATION OR STOCKHOLDERS UNDER THIS ARTICLE: PAYMENT FOR SUCH STOCK SHALL BE MADE AS FOLLOWS: FIFTEEN (15%) PERCENT OF THE TOTAL AMOUNT AS A DOWNPAYMENT AND THE BALANCE IN EQUAL MONTHLY INSTALLMENTS OVER THE NEXT SIXTY(60) MONTHS WITH INTEREST AT THE RATE OF FIVE (5%) PERCENT PER ANNUM ON ANY UNPAID BALANCE.

ARTICLE VII

THE AMOUNT OF PAID IN CAPITAL WITH WHICH THIS CORPORATION SHALL BEGIN BUSINESS SHALL NOT BE LESS THAN TEN THOUSAND (\$10,000.00) DOLLARS, WHICH MAY BE PAID IN TO THE CORPORATION IN CASH OR PROPERTY OR BOTH.

ARTICLE VIII

THE BUSINESS AND AFFAIRS OF THIS CORPORATION SHALL BE VESTED IN A BOARD OF DIRECTORS CONSISTING OF NOT LESS THAN THREE (3) AND NOT MORE THAN FIVE (5) MEMBERS, NONE OF WHOM NEED BE STOCKHOLDERS. A MAJORITY OF THE DIRECTORS SHALL CONSTITUTE A QUORUM AT ANY MEETING FOR WHICH DUE NOTICE HAS BEEN GIVEN.

SAID DIRECTORS SHALL ELECT THE FOLLOWING OFFICERS: PRESIDENT, ONE OR MORE VICE-PRESIDENTS, SECRETARY AND TREASURER. ANY TWO OF THESE OFFICERS MAY BE VESTED IN ONE PERSON, AND ONLY THE PRESIDENT NEED BE A STOCKHOLDER AND DIRECTOR.

THE DIRECTORS AND OFFICERS SHALL HOLD OFFICE FOR ONE YEAR OR UNTIL THEIR SUCCESSORS HAVE BEEN DULY ELECTED AND QUALIFY.

THE ANNUAL STOCKHOLDERS' MEETING OF THIS CORPORATION SHALL BE DETERMINED BY THE BOARD OF DIRECTORS EACH YEAR BUT FAILURE TO HOLD SUCH ANNUAL MEETING SHALL NOT NULLIFY THIS CORPORATION AND ITS BOARD OF DIRECTORS AND OFFICERS SHALL CONTINUE IN OFFICE UNTIL SUCH TIME AS THE STOCKHOLDERS DO CONVENE.

THE NAMES AND POST OFFICE ADDRESSES OF THE FIRST DIRECTORS ARE AS FOLLOWS:

LELAND BOWMAN, JENNINGS, LOUISIANA
LOUIS SMITHALL, JENNINGS, LOUISIANA
MRS. LELAND BOWMAN, JENNINGS, LOUISIANA
MRS. LOUIS SMITHALL, JENNINGS, LOUISIANA

THE NAMES AND POST OFFICE ADDRESSES OF THE FIRST OFFICERS ARE AS FOLLOWS:

PRESIDENT: LELAND BOWMAN, JENNINGS, LOUISIANA
VICE-PRESIDENT: MRS. LELAND BOWMAN, JENNINGS, LOUISIANA
SECRETARY AND TREASURER: LOUIS SMITHALL, JENNINGS, LOUISIANA

ARTICLE IX

THESE ARTICLES MAY BE ALTERED OR AMENDED IN ANY PARTICULAR, INCLUDING THE INCREASE OR REDUCTION OF THE CAPITAL STOCK OF THIS CORPORATION, BY THE VOTE OF THE HOLDERS OF A MAJORITY OF THE OUTSTANDING SHARES OF STOCK.

ARTICLE X

THIS CORPORATION MAY BE VOLUNTARILY DISSOLVED IN ACCORDANCE WITH THE LAWS OF THE STATE OF LOUISIANA.

ARTICLE XI

SHOULD THIS CORPORATION OWN WASTING ASSETS, INTENDED FOR SALE IN THE ORDINARY COURSE OF BUSINESS, OR PROPERTY HAVING A LIMITED LIFE, DIVIDENDS MAY BE DECLARED FROM THE NET PROFITS ARISING FROM SUCH ASSETS WITHOUT DEDUCTION OF DEPRECIATION OR DEPLETION OF ASSETS THEREBY SUSTAINED.

ARTICLE XII

THE NAMES AND POST OFFICE ADDRESSES OF THE INCORPORATORS AND THE NUMBER OF SHARES OF STOCK SUBSCRIBED FOR AND THE VALUE OF CASH AND/OR PROPERTY PAID IN BY EACH ARE AS FOLLOWS:

LELAND BOWMAN, JENNINGS, LOUISIANA-	49 SHARES, \$4,900.00
LOUIS SHAINALL, JENNINGS, LOUISIANA-	49 SHARES, 4,900.00
MRS. LELAND BOWMAN, JENNINGS, LOUISIANA-	1 SHARE, 100.00
MRS. LOUIS SHAINALL, JENNINGS, LOUISIANA-	1 SHARE, 100.00

THUS DONE AND SIGNED IN THE PARISH OF JEFFERSON DAVIS, STATE OF LOUISIANA, ON THE DAY, MONTH AND YEAR FIRST WRITTEN, IN THE PRESENCE OF

Dema LeBlanc

AND Mary B. Allbritton

COMPETENT WITNESSES WHO HAVE SIGNED THESE PRESENTS WITH THE APPEARERS AND ME, NOTARY PUBLIC, AFTER DUE READING OF THE WHOLE.

WITNESSES:

D. LeBlanc
Mary B. Allbritton

Stephen P. Coco
NOTARY PUBLIC
Stephen P. Coco

Leland Bowman
LELAND BOWMAN
Louis Shainall
LOUIS SHAINALL
Mrs. Leland Bowman
MRS. LELAND BOWMAN
Mrs. Louis Shainall
MRS. LOUIS SHAINALL

J.W. Rice

FILED:
RECORDED:

JUNE 2, 1965. A. D. AT: 2:10 P. M.
JUNE 2, 1965. A. D. FILE # 299739.

CLERK & EX OFFICIO RECORDER.

ETHEL PATOUT BOWMAN, ETALS to S.B.A. SHIPYARDS, INC. WARRANTY DEED

439148

755

RECEIVED AND FILED

SEP 21 AM 11:20

STATE OF LOUISIANA :

PARISH OF JEFFERSON DAVIS :

WARRANTY DEED

CLERK OF COURT
JEFFERSON DAVIS PARISH

BE IT KNOWN: That on the dates and before the witnesses and Notaries Public herein set forth, personally came and appeared ETHEL PATOUT BOWMAN, individually and as Executrix of the Succession of Leland Bowman, and CHARIE PATOUT BOWMAN REID, PEPE MESTAYER BOWMAN BLAKE, ROBERT SIDNEY BOWMAN, CLAIRE LOUISE BOWMAN LeJEUNE, and BRIAN FELIX BOWMAN ("Vendors") who declared that they do by these presents GRANT, BARGAIN, SELL, CONVEY AND DELIVER, with full guarantee of title, and with complete transfer and subrogation of all rights and actions of warranty against all former owners of the property herein conveyed unto S.B.A. SHIPYARDS, INC., a Louisiana corporation, ("Vendee"), an undivided one-half (1/2) interest in the following described property, to-wit:

(a) Beginning at a point located S 0°-10'E 1096.5 ft. and N 63°-20'E 767.3 ft. from most northwesterly cor. Sec. 19, T10S, R2W, thence N 63°-20'E 358.8 ft.; S 61°-20'E 377.9 ft.; S 84°-51'-10"E 436.9 ft.; thence N 88°-24'-30"E 345.0 ft.; S 73°-03'E 195.0 ft.; S 38°-51'E 182.0 ft.; S 40°-40'E 139.4 ft.; S 61°-32'-10"W 57.0 ft. thence S 85°-30'-50"W 1,605.6 ft.; thence N 18°-50'10" W 535.6 ft. to the point of beginning and containing 17.63 acres of land, measured to the west bank of Mermentau River, Jefferson Davis Parish, Louisiana, as per plat of survey prepared by Paul J. Letz, C.E., dated May 18, 1965, attached to and made a part of that certain deed from Josephine Corboline Heywood and Gene B. Heywood to Leland Bowman and Louis E. Smaihall, Jr. recorded in Conveyance Book 283, at Page 135, under File No. 299667 of the records of Jefferson Davis Parish, Louisiana.

(b) That certain tract of land described as Lots One (1) and Five (5) and all that part of Lot Two (2) lying between the 17.63 acre tract acquired by Leland Bowman and Louis Smaihall, Jr. from Josephine Corboline Heywood and Gene B. Heywood (Conveyance Book 283 at Page 135) and Lot One (1), all in Section Nineteen (19), Township Ten (10) South, Range Two (2) West, Jefferson Davis Parish, Louisiana.

(c) Any other immovable property jointly owned by the Estate of Leland Bowman and Ethel Patout Bowman with Louis Smaihall, Jr. and Suzanne Smaihall Cornelius and currently being used by S.B.A. Shipyards, Inc.

LESS AND EXCEPT the following described property, to-wit:

439148

THUS DONE AND SIGNED by CHARIE PATOUT BOWMAN REID,
at Walnut Creek, California, on this 31st day of August,
1982.

WITNESSES:

Marta Bellera Charie Patout Bowman Reid
11/1/82 CHARIE PATOUT BOWMAN REID

BEFORE ME: _____
NOTARY PUBLIC

THUS DONE AND SIGNED by PEPE' MESTAYER BOWMAN BLAKE,
at Fayetteville, Georgia, on this 10th day of September,
1982.

WITNESSES:

Anna P. Anderson Pepe Mestayer Bowman Blake
Michelle D. PEPE' MESTAYER BOWMAN BLAKE

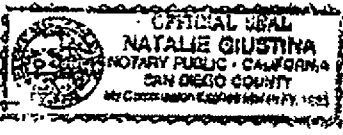
BEFORE ME: Layman B. Lytle
NOTARY PUBLIC My Commission Expires September 28, 1986

THUS DONE AND SIGNED by ROBERT SIDNEY BOWMAN, at
SOLANA BEACH, California, on this 7th day of September,
1982.

WITNESSES:

Robert Sidney Bowman
Francis B. Hayes ROBERT SIDNEY BOWMAN

BEFORE ME: Natalie Giustina
NOTARY PUBLIC



THUS DONE AND SIGNED by CLAIRE LOUISE BOWMAN LEJEUNE,
at Jennings, Louisiana, on this 14th day of September,
1982.

WITNESSES:

Pauline L. May Claire Louise Bowman Lejeune
Lauren L. Fickland CLAIRE LOUISE BOWMAN LEJEUNE

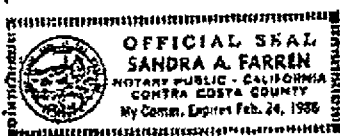
BEFORE ME: _____
NOTARY PUBLIC

R 757-A

THUS DONE AND SIGNED by CHARIE PATOUT BOWMAN REID,

STATE OF CALIFORNIA
COUNTY OF Contra Costa

On this 31st day of August in the year one
thousand nine hundred and eighty-two, before me,
Sandra A. Farren, a Notary Public, State of California,
duly commissioned and sworn, personally appeared Charlie
Patout Bowman Reid



known to me to be the person — whose name
is subscribed to the within instrument and acknowledged to me
that he — executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed
my official seal in the Contra Costa County of
California the day and year in this certificate first
above written.

Sandra A. Farren
Notary Public, State of California
My commission expires Feb. 24, 1986

This document is only a general form which may be proper for use in simple transactions
and in no way acts, or is intended to act, as a substitute for the advice of an attorney.
The publisher does not make any warranty, either express or implied, as to the legal
validity of any provision or the suitability of these forms in any specific transaction.

Cowdery's Form No. 32 — Acknowledgement — General (C. C. Sec. 1190a)
1982.

WITNESSES:

Simeon P. Anderson Pepe Mestayer Bowman Blake
Michael S. O.
PEPE MESTAYER BOWMAN BLAKE

BEFORE ME: Raymond D. Lyle
NOTARY PUBLIC My Commission Expires Jan. 28, 1985

THUS DONE AND SIGNED by ROBERT SIDNEY BOWMAN, at
SOLANA BEACH, California, on this 7th day of September,
1982.

WITNESSES:

Raymond D. Lyle Robert Sidney Bowman
Francis B. Hayes
ROBERT SIDNEY BOWMAN

BEFORE ME: Natalie Giustina
NOTARY PUBLIC



THUS DONE AND SIGNED by CLAIRE LOUISE BOWMAN LeJEUNE,
at Jennings, Louisiana, on this 14th day of September,
1982.

WITNESSES:

John R. Mandy Claire Louise Bowman LeJeune
Aurinda L. Freeland
CLAIRE LOUISE BOWMAN LEJEUNE

BEFORE ME: [Signature]
NOTARY PUBLIC

758

THUS DONE AND SIGNED by BRIAN FELIX BOWMAN, at
Jennings, Louisiana, on this 15th day of September,
1982.

WITNESSES:

Quinn McAllen

Brian Felix Bowman
BRIAN FELIX BOWMAN

Polly Bonheur

BEFORE ME:

Barbara D. Ross
NOTARY PUBLIC

SEC. 19

BOWMAN LAND CO. INC.

S. B. A. SHIPYARDS, INC.

N 89°-50'E 734.78 834.78

S 73°-02'W
148.34

S 55°-02'W 330.0

RIVER

ACQUIRED BY BOWMAN HEIRS

4.12 AC. INSIDE TRAVERSE
0.28 AC. TO BANK OF RIVER
4.40 AC. TOTAL

MERMENTAU

S 33°-07'W 340.9

N 0°-10'W 515.43

S 89°-50'W 1434.8 TO
S.W. CORNER SECTION 19
SOUTH LINE SEC. 19

135.20
S 89°-50'W



PLAT OF SURVEY

FOR BOWMAN HEIRS IN SECTION 19, TWP. 10
SOUTH, RANGE 2 WEST, IN JEFFERSON DAVIS
PARISH, LOUISIANA.

SCALE 1"=100'

AUG. 6, 1982

LETZ ENGINEERS
CROWLEY, LA.

759

ENCLOSURE C

**SBA SHIPYARD SUPERFUND SITE
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA
GENERAL NOTICE LETTER**

SMALL BUSINESS RESOURCES FACT SHEET



Office of Enforcement and Compliance Assurance **INFORMATION SHEET**

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Hotlines, Helplines and Clearinghouses

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements.

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers:
www.epa.gov/clearinghouse

Pollution Prevention Clearinghouse
www.epa.gov/opptintr/library/ppicindex.htm

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.
(800) 368-5888

Emergency Planning and Community Right-To-Know Act
(800) 424-9346

National Response Center (to report oil and hazardous substance spills)
(800) 424-8802

Toxics Substances and Asbestos Information
(202) 554-1404

Safe Drinking Water
(800) 426-4791

Stratospheric Ozone Refrigerants Information
(800) 296-1996

Clean Air Technology Center
(919) 541-0800

Wetlands Helpline
(800) 832-7828

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page
www.epa.gov

Small Business Assistance Program
www.epa.gov/ttn/sbap

Compliance Assistance Home Page
www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance
www.epa.gov/compliance

Small Business Ombudsman
www.epa.gov/sbo

Innovative Programs for Environmental Performance
www.epa.gov/partners

Compliance Assistance Centers

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers (Centers) that provide information targeted to industries with many small businesses. All Centers can be accessed at:
<http://www.assistancecenters.net>

Metal Finishing

(1-800-AT-NMFC or www.nmfc.org)

Printing

(1-888-USPNEAC or www.pneac.org)

Automotive Service and Repair

(1-888-GRN-LINK or www.ccar-greenlink.org)

Agriculture

(1-888-663-2155 or www.epa.gov/agriculture)

Printed Wiring Board Manufacturing

(1-734-995-4911 or www.pwbrc.org)

Chemical Industry

(1-800-672-6048 or www.chemalliance.org)

Transportation Industry

(1-888-459-0656 or www.transource.org)

Paints and Coatings

(1-800-286-6372 or www.paintcenter.org)

Construction Industry

(www.cicacenter.org)

Automotive Recycling Industry

(www.ecarcenter.org)

US / Mexico Border Environmental Issues

(www.bordercenter.org)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or call EPA's Small Business Ombudsman at (800)-368-5888 or visit the Small Business Environmental Homepage at <http://www.smallbiz-enviroweb.org>.

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses: The Small Business Policy (<http://www.epa.gov/compliance/incentives/smallbusiness>) and

Audit Policy (<http://www.epa.gov/compliance/incentives/auditing>).

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an ombudsman ("SBREFA Ombudsman") and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The SBREFA Ombudsman will annually rate each agency's responsiveness to small businesses. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community because the regulated community previously commented on its activities.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act (SBREFA) or related provisions.

ENCLOSURE D

**SBA SHIPYARD SUPERFUND SITE
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA
GENERAL NOTICE LETTER**

PARTIES RECEIVING GENERAL NOTICE LETTER

Bunge Street Properties, LLC
Christian G. Vaccari
Registered Agent
217 North Columbia Street
Covington, Louisiana 70433

Suzanne Smaihall Cornelius
6430 Buffalo Speedway
Houston, Texas 77005

SBA Shipyards, Inc.
D. Keith Wall
Registered Agent
302 East Nezpique Street
Jennings, Louisiana 70546

SBA Shipyards, Inc.
6430 Buffalo Speedway
Houston, Texas

CERTIFIED MAIL NO. 7014 0150 0000 2454 8072: RETURN RECEIPT REQUESTED
GENERAL NOTICE LETTER
URGENT LEGAL MATTER - PROMPT REPLY NECESSARY

Bunge Street Properties, LLC
Christian G. Vaccari
Registered Agent
217 North Columbia Street
Covington, Louisiana 70433

**Re: SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana;
CERCLIS #: LAD008434185; General Notice Letter and Opportunity to Meet**

Dear Mr. Vaccari:

The purpose of this letter is to provide Bunge Street Properties, LLC (hereinafter Bunge Street Properties, LLC is referred to as "Bunge Street," "you" or "your"), with written notice of Bunge Street potential liability at the SBA Shipyard Superfund Site (Site) located in Jennings, Jefferson Davis Parish, Louisiana. Information available to the U.S. Environmental Protection Agency (EPA) indicates that Bunge Street is the current owner of the northern portion of the Site (See Enclosure B).

In May 2015, the EPA initiated a removal action at the Site under the Clean Water Act, as amended by the Oil Pollution Act of 1990 (OPA). The EPA has completed the OPA removal action and a Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA) emergency removal action (ER) at the Site. The ER addressed the immediate threat posed by a buried barge with high concentrations of PAHs and wastes. The OPA removal action is projected to be completed in October 2015.

A Superfund Site is a place that is contaminated with hazardous substances at levels that may present a threat to human health or the environment. Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Bunge Street Properties, LLC (Bunge) has been identified as the current owner and/or operator of the northern portion of the Site. Enclosure A explains the General Notice and the basis for the EPA's determination that Bunge is a PRP and offers you the opportunity to meet with EPA representatives to discuss your liability at the Site. Also included in this letter as Enclosure B is the evidentiary documents, Enclosure C is the Small Business Resource Fact Sheet, and Enclosure D list the parties receiving this letter.

We encourage you to give this matter your immediate attention and request. Thank you in advance for your cooperation. We look forward to working closely with you in the future. If you have any questions regarding the notice or any of the documentation included, please contact Mr. Kenneth Talton at 214-665-7475. Questions concerning legal matters should be directed to EPA attorney Ms. I-Jung Chiang, at 214-665-2160. Thank you for your attention to this matter.

Sincerely yours,

Ben Banipal, P.E.
Associate Director
Technical and Enforcement Branch (SF-T)
Superfund Division

Enclosures

- A General Notice
- B Evidentiary Documents
- C Small Business Resource Fact Sheet
- D Parties Receiving General Notice letter

C. Talton	L. Johnson	I Chiang	M. Peycke	B. Banipal
6SF-TE	6SF-TE	6RC-S	6RC-S	6F-T